

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DIPLOMATIC MAN, INC.,

Plaintiff,

-against-

NIKE, INC.,

Defendant.

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08 CIV. 0139 (GEL)
ECF Case

PLAINTIFF'S INITIAL
DISCLOSURES

Pursuant to Rule 26(a) of the Federal Rules of Civil Procedure, plaintiff makes the following Initial Disclosures based upon information presently available to it:

(A) Witnesses: The names of individuals likely to have discoverable information that plaintiff may use to support its claims are:

1. Cameron Giles, generally with respect to the allegations contained in the complaint.
2. LaRon James, professionally known as Juelz Santana, with respect to the creation and recording of the musical composition entitled "The Second Coming."
3. Representatives of defendant, whose identities are presently unknown to plaintiff, with knowledge of: the creation and use of "The Second Coming" in defendant's advertisements and on defendant's website; defendant's advertising campaign for its product line known as "Air Force 25;" and gross income received by

defendant from sales of "Air Force 25" products.

(B) Documents: The documents and tangible things reasonably available to plaintiff which plaintiff may use to support its claims are as follows:

1. An agreement dated as of April 1, 2002 between plaintiff and LaRon James.
2. The sound recording of "The Second Coming" as performed by LaRon James.
3. United States Copyright registration number Sru 866-214.
4. Defendant's documents relating to gross income received from sales of the "Air Force 25" line of products.
5. Defendant's documents relating to the use of "The Second Coming" in defendant's advertisements.

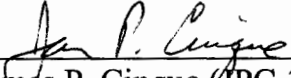
(C) Damages: Plaintiff seeks all gains, profits and advantages derived by defendant from its infringement of plaintiff's copyright, the amount of which is presently unknown to plaintiff, including but not limited to the fair market value of defendant's use of "The Second Coming" in its advertising campaigns plus defendant's profits generated by sales of the "Air Force 25" line of products.

(D) Insurance: Plaintiff does not have any insurance under which any person

carrying on an insurance business may be liable to satisfy part or all of the judgment which may be entered in this action.

DATED: NEW YORK, NEW YORK
JUNE 30, 2008

CINQUE & CINQUE, P. C.

By: 
James P. Cinque (APC-3673)
Attorneys for Plaintiff
845 Third Avenue, Suite 1400
New York, New York 10022
Telephone: (212) 759-5515
Telefax: (212) 759-7737
Email: CINQUE845@aol.com